

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 11- 0247 WHA
	)	
Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER EXCLUDING TIME FROM</b>
v.	)	<b>JUNE 7, 2011 THROUGH JUNE 28, 2011</b>
	)	<b>FROM CALCULATIONS UNDER THE</b>
DANIEL QUINCY BUIE,	)	<b>SPEEDY TRIAL ACT (18 U.S.C. § 3161)</b>
a/k/a Christ Jesus Bisset,	)	
	)	
Defendant.	)	
_____	)	

The parties appeared on June 7, 2011 before this Court. Gregg W. Lowder, Assistant United States Attorney, appeared for the United States. Ronald Tyler, Assistant Federal Public Defender, appeared for the defendant, who appeared personally and in custody.

At the request of the defendant personally and his attorney, the Court continued the case to June 28, 2011 at 2:00 p.m. for trial setting or change of plea in District Court and excluded time from June 7 through June 28, 2011 from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The exclusion of time is based upon the request of the parties in light of the need to permit the defense attorney reasonable time for the effective preparation of a defense in the case.

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1 The Court enters this order supplementing its oral order at the hearing of June 7, 2011,  
2 that excluded time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161 from June 7  
3 through June 28, 2011. The parties, including the defendant, agree to those findings and that  
4 order. The Court further finds and orders as follows:

5 1. The defendant understands and requests the exclusion of time from calculations under  
6 the Speedy Trial Act, 18 U.S.C. § 3161, from June 7 through June 28, 2011, based on the  
7 need of defense counsel for a reasonable period of time to allow effective preparation of a  
8 defense, taking into account the exercise of due diligence, since the defense had recently  
9 conducted an evidence view with government counsel and additional time was needed for  
10 preparation of a defense based on that view; and some additional discovery was also  
11 provided to the defense based on further investigation conducted shortly before the  
12 hearing by the government;

13 2. Defense counsel Ronald Tyler and government counsel join in the request to exclude  
14 time from June 7 through June 28, 2011, from calculations under the Speedy Trial Act for  
15 the above reasons and agree that the exclusion of time is necessary for the defense  
16 counsel to have a reasonable amount of time to effectively prepare a defense, taking into  
17 the account the exercise of due diligence.

18 Given these circumstances, the Court finds that the ends of justice served by excluding  
19 from time calculations the period of June 7 through June 28, 2011, outweigh the best interests of  
20 the public and the defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161, and  
21 finds good cause for the reasons listed above and the reasons stated at the hearing to exclude that  
22 time period. Accordingly, the Court (1) sets an appearance date in District Court for June 28,  
23 2011 at 2:00 p.m. and (2) orders that the time from June 7 through June 28, 2011

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1 be excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and  
2 (B)(iv).

3 **SO STIPULATED:**

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5 DATED: June 29, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
RONALD TYLER  
Attorney for Defendant

6  
7 DATED: June 29, 2011

\_\_\_\_\_/s/\_\_\_\_\_  
GREGG W. LOWDER  
Assistant United States Attorney

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10 **IT IS SO ORDERED.**

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12 DATED: June 30, 2011. \_\_\_\_\_



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WILLIAM ALSUP  
United States District Judge